

Served  
4/23/96  
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U. S. DISTRICT COURT  
N. D. OF N. Y.  
FILED

APR 23 1996

AT 10 O'CLOCK M.  
GEORGE A. DAY, Clerk  
BY CM

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

VASILY KARPOV,

Defendant.

ORDER FOR DISMISSAL

96-MG-154

(Hon. Henry VanAcker, Jr.)

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and 28 U.S.C. section 2255, and by leave of Court endorsed hereon, the United States Attorney for the Northern District of New York hereby dismisses the Complaint and moves to vacate the judgment of conviction against defendant VASILY KARPOV.

THOMAS J. MARONEY  
UNITED STATES ATTORNEY

BY:

GEORGE A. YANTHIS  
ASSISTANT U.S. ATTORNEY  
Bar Roll # 102853

\* \* \* \* \*

Leave of Court is granted for the filing of the foregoing dismissal and the judgment of conviction is hereby vacated. The defendant is released from custody on the basis of the charges herein.

Dated: April 17, 1996  
Rouses Point, NY

HENRY VANACKER, JR.  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

VASILY KARPOV,

Defendant.

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MOTION TO DISMISS

96-MG-154

(Hon. Henry VanAcker, Jr.)

Comes now the United States of America by and through Thomas J. Maroney, United States Attorney for the Northern District of New York, George A. Yanthis, Assistant U.S. Attorney, of counsel, and respectfully moves this Court for leave to dismiss the Complaint and vacate the Judgment of Conviction in the above-entitled case, and in support of this motion avers as follows:

On the 26th day of March, 1996, a Complaint was filed in the Northern District of New York charging VASILY KARPOV with one count of transporting an alien within the United States, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

The reason for the dismissal of the Complaint is that it would be in the interests of justice as the Complaint should have alleged a violation of 8 U.S.C. section 1324(a)(2)(A).

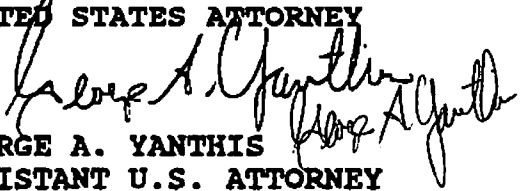
The government also moves to vacate the Judgment of Conviction entered herein.

WHEREFORE, the United States Attorney moves this Court for an Order for Dismissal of Complaint Number 96-MG-154 and to vacate the Judgment of Conviction.

Respectfully submitted,

THOMAS J. MARONEY  
UNITED STATES ATTORNEY

BY:

  
GEORGE A. YANTHIS  
ASSISTANT U.S. ATTORNEY  
Bar Roll # 102853